

November 21, 2012

The Honourable Laurel Broten  
Minister of Education  
900 Bay Street  
22<sup>nd</sup> Floor  
Toronto, ON M7A 1L2

Re: Independent Facilitator's Report on the West Secondary Accommodation  
Review, Hamilton-Wentworth District School Board

Dear Minister:

On September 10, 2012, your Ministry appointed me as the independent facilitator charged with conducting an Administrative Review of the Accommodation Review Process undertaken in the West Secondary area of the Hamilton-Wentworth District School Board (DSB). My appointment was in response to a petition dated June 25, 2012 regarding Parkside High School, which is located in the town of Dundas. The petition requests an Administrative Review of the West Secondary Accommodation Review conducted by the Hamilton-Wentworth DSB between January 18, 2011 and February 3, 2012. The latter is the date on which the Report of the Accommodation Review Committee (ARC) was submitted to Board Administration.

The West Secondary Review covered four schools: Ancaster High School, Highland Secondary School, Parkside High School and Westdale Secondary School. The Board organizes its schools in "clusters". Under the terms of reference of the West Review, one secondary school in the cluster, Waterdown, was excluded from the Review because it was over capacity at 115%. It should also be noted that this Review was one of 3 Reviews, conducted simultaneously, of secondary capacity in the Board. Only 3 of the 18 secondary schools were excused from the processes. The West Secondary Review led to a Board decision to close Parkside Secondary School, effective September 2014, and realign its catchment area with that of Highland Secondary School, with, subject to Ministry approval, upgrades of "no less than \$15 million" to accommodate the additional Parkside students.

The focus of the Parkside petition is on the process which led to the Board decision and in particular on perceived bias and deficiencies in the information provided to the ARC by Board staff.

In conducting this Review, I received excellent support from Joan Fallis, Education Officer with the London Regional Office of the Ministry of Education. I appreciated the co-operation in the process of Trustees, Board Officials, members of the West Secondary ARC, parents and members of the community. All were generous with their time, willing to speak frankly about issues and anxious to serve the best interests of the secondary students of the community.

## **TERMS OF REFERENCE**

### **HAMILTON-WENTWORTH DISTRICT SCHOOL BOARD**

#### West Secondary Accommodation Review

The following terms of reference were established by your Ministry to guide my work as the Facilitator conducting this Administrative Review:

The Facilitator will be responsible for the Administrative Review of the Pupil Accommodation Review undertaken for the Hamilton-Wentworth District School Board for the following schools:

- Parkside
- Ancaster High
- Westdale
- Highland

## **PRINCIPLES**

- School boards, parents, communities and the government recognize that school boards have the legal right to close schools after following a board-approved pupil accommodation review process.
- The Ministry of Education's *Pupil Accommodation Review Guideline* provides direction to school boards regarding pupil accommodation reviews undertaken to determine the future of a school or group of schools.
- School boards are responsible for establishing and following their own accommodation review policies. School board's accommodation review policies are to reflect the requirements of the Ministry's *Pupil Accommodation Review Guideline*.
- Under the *Pupil Accommodation Review Guideline*, schools are required to make school valuation the centre of board and community decision making. School valuation requires school boards to consider the value of a school or schools based on community consultation.

## **SCOPE OF THE REVIEW**

The independent facilitator shall be responsible for:

- Determining whether the Hamilton-Wentworth District School Board followed its board-approved pupil accommodation review process in conducting the accommodation review;
- Reviewing formal documentation, interviewing relevant participants, including ARC Committee members, petitioners and board staff;
- Submitting a written report to the Minister of Education upon completion of the review.

## **REPORTING TO THE MINISTER**

The report should be in the form of a letter to the Minister, indicating whether the accommodation review process followed the board's pupil accommodation review policy.

The Minister is responsible for making the facilitator's findings available to the board and the public in a timely fashion.

## **BOARD PROFILE AND DESCRIPTION OF SCHOOLS**

Hamilton, Ontario's "steel town" is at the centre of a densely populated and industrialized region at the west end of Lake Ontario. The region, popularly known as the "Golden Horseshoe", stretches from Oshawa to Niagara Falls. Despite the density of industrialization in parts of the Horseshoe, it also contains some of Canada's prime agricultural land. In 1998, the Hamilton-Wentworth District School Board was created by amalgamating two predecessor boards, the City of Hamilton Board and the Wentworth County Board. Three years later, in 2001, the Regional Municipality of Hamilton-Wentworth, which had six constituent municipalities, including Hamilton, was amalgamated as the City of Hamilton. Hamilton is the third largest metropolitan region in Ontario. It is home to McMaster University and Mohawk College. It is a hub for health services and home to a lively arts scene and professional sports teams.

The Hamilton-Wentworth DSB is headquartered in the centre of the old City. The Board is responsible for public, English language education in the densely populated old city and its suburbs, in old towns such as Ancaster, Dundas and Waterdown, which have developed their own sprawling suburbs, and in the substantial rural area of the county. Wentworth County was established in 1816. Some of the towns were founded even earlier. Residents identify strongly with their particular communities and value their heritage.

The Hamilton-Wentworth DSB operates 113 schools, 95 elementary and 18 secondary. Current total enrolment is around 50,000 students of whom around 18,000 are in secondary schools. The Board uses a Ministry of Education provided software program named ReCAPP (Renewal Capital Asset Planning Process) to support its capital planning analysis. The ReCAPP data indicate that the Board has one of the oldest building infrastructures in Ontario. The average age of facilities is 52 years, even after an aggressive building program, which saw 33 older schools closed and 11 new schools built in the 10 years following the 1998 amalgamation. School closure decisions also respond to demographics, and in particular declining enrolment. The Board has 2600 excess pupil places in its secondary schools and, based on current elementary enrolment and other demographic projections, expects to have 6,000 excess places in those schools by 2020. The ReCAPP data show that outstanding renewal/repair needs in the secondary schools total \$160 million. The Board receives, from the Ministry of Education, an annual grant of \$7.6 million for renewal of these buildings.

The Board organizes its schools in “Clusters” which are roughly geographical. In response to its fiscal and demographic problems, on February 8, 2010, the Board established 3 concurrent secondary school pupil Accommodation Reviews in the South, North and West Clusters. Only 3 secondary schools, all of which were over capacity, were excluded from the Review process. Each Review was conducted by a Board appointed ARC. The composition of the Committee and the review process were defined in Board Policy No. 12.0, *Pupil Accommodation Review Policy*. The Board approved the revised Terms of Reference for each of the three ARCs on March 8, 2010.

My appointment responds to a petition on behalf of Parkside Secondary School, which is a member of the West Cluster. The West ARC reviewed Ancaster, Highland, Parkside and Westdale Secondary Schools. Waterdown SS, a member of the West Cluster, was one of the schools excluded from the Review. The West Cluster includes a section of the old City of Hamilton, the old town of Dundas and its newer suburbs and Ancaster and its suburbs. There is also a large rural area in the cluster. Parts of the area are “lower town”, that is below the Niagara Escarpment and others are on top of the heights. The four schools under Review were all facing declining enrolment. While they were collectively at 84% capacity in 2009-10, by 2015, they were projected to be at 75% and by 2020 they were expected to be at 67%. Only one of the four, Westdale, remained at a manageable 85% capacity by 2020. The drop in enrolment creates not only a fiscal dilemma, when boards are funded by pupil head count, but also a programming dilemma. As numbers drop in an individual school, the number of subjects/options available to students also drops.

I visited all four of the schools which were part of the Review, but will concentrate attention on Parkside and Highland which are the subject of the petition. I will include information on Ancaster and Westdale as it is helpful to understanding the process.

### **Parkside Secondary School**

Parkside Secondary School was built in 1959 in what was then the Town of Dundas. Additions were built in 1961, 1972 and 1976. It is in the valley at the base of the Escarpment and is adjacent to the Dundas Driving Park. The Park is a critical element in some of the school’s programming.

Parkside is a comprehensive school, that is it offers a wide range of programs, both academic and applied, to students of varied abilities and interests in grades 9-12. In addition to academic subjects such as English, Mathematics, French, History and Geography it has dedicated facilities for Science, (5 labs), Instrumental Music, Theatre Arts and for a number of Technologies including: Communications, Construction, and Computer Studies. There is 1 Gymnasium and 1 Cafeteria. The school is fully accessible to persons with physical disabilities. It has a Principal, a Vice-Principal, 38 teachers and four administrative office staff. The school is a short 5-10 minute walk to businesses in the centre of old Dundas.

Parkside is built on a relatively small plot of land, 4.6 acres. The building takes up most of the acreage, but that does not mean that Parkside has no playing fields. A 99 year lease agreement between the Corporation of the Town of Dundas, the Dundas District High School Board and the Dundas Parks Board, dated on the 20<sup>th</sup> of May, 1958 grants the school use of the Dundas Driving Park, which is adjacent to the school, for “recreation, sports and other student activities”. The lease states that the Parks Board will continue to maintain the property. The lease is still in force between the successor School Board and City. The maintenance obligation is now met by the City of Hamilton. The Driving Park has 26 acres with a well-kept football/soccer field, 4 baseball diamonds, a refrigerated skating rink, a Beach Volleyball Court and 2 large all-purpose fields. The school also has access to the 5 newly renovated tennis courts of the Dundas Tennis Club, which are in the Park. The adequacy of the school’s grounds for physical activity was rated as “poor” in the School Information Profile used by the ARC. The Board decision to close Parkside and merge its population with that of Highland, on the Highland site, will lead to a small increase in bussing, from 43% of the students to 46%.

Parkside’s rated capacity is 777 students. In the school year 2009-10 enrolment totaled 628. The projected enrolment for 2020 is 423. At the time of the Review, the school was engaged in a number of programs in addition to the more traditional subjects. These included a range of student success supports, involvement in the Canadian Mathematics Competitions, a large variety of Physical Education options, International Languages, DECA Business courses, 12 before and after school sports, and a choir, concert and jazz bands. Proximity to the business section of Dundas has meant that almost half of the 108 students in the co-op program can walk to their placements. The School Council is active and supportive. The ability of the school to sustain this variety as enrolment drops is questionable.

When I visited the school I was struck by how well it fitted into its surroundings. It is tucked into the base of a hill on a quiet, residential street. The property is well treed and melds seamlessly with the Driving Park, which is directly accessible from the back of the school. The building is well kept, although it is clear that, with the exception of the Library/Resource Centre, little has been done to update it over the last 10 years. The Science labs were particularly out of date. I feel, given how the School Information Profile (SIP) described the outdoor facilities of Parkside as “poor”, that I must emphasize that the facilities of the Driving Park are excellent in both scope and condition. Further, because of the length and specific character of the lease, they are accessible to students as if the Board owned the Park. There is no evidence of any difficulties in the school having open access to the Park facilities and no cost to the Board in maintaining the extensive grounds. One consequence of the Board decision to close Parkside was very evident during my visit. The school population has now dropped to 450 students.

### **Highland Secondary School**

Highland Secondary School was built in 1968 on the Escarpment above the Town of Dundas. An addition was built in 1986. The school site is a generous 17.83 acres.

Highland is also a comprehensive school, offering a wide range of programs to students of varying interests and abilities in grades 9-12. Highland offers Academic, Arts and Technological courses leading to College, University, apprenticeship and the workplace. The Arts program offers Music, Art and Drama. The five technological programs are: Transportation, Construction, Precision Machining, Technological Design and Communication. There are specialties in cabinet making, pneumatics and aviation. There is 1 Gymnasium and 1 Cafeteria. The spectators' area of the Gym is the only part of the school which is not fully accessible. There is a Principal, a Vice-principal, approximately 48 teachers and five administrative office staff. Highland is located on Governor's Road, a 2 lane road in suburban Dundas.

Highland has 3 hard-surfaced tennis courts, a combined Football/Soccer field, and a running track. The adequacy of the school's grounds for physical activity was rated as "fair" in the SIP used by the ARC. Nevertheless, Highland students obviously use what they have with great enthusiasm. Seven extra-curricular sports are played on the grounds while another seven are played inside the school and in other indoor community facilities. The running track is in such poor condition that it is not used. The tennis courts are poorly maintained by the City.

Highland's rated capacity is 924 students. In the school year 2009-10 enrolment totalled 771. The projected enrolment for 2020 is 489. At the time of the Review the school was involved in a number of program areas which assisted and enhanced the educational experience. There were 59 students enrolled in a good range of co-op placements in the Dundas and West Hamilton area. Several Student Success supports were in place. There were many and varied clubs, including Music, Visual Arts, Boy's and Girl's Athletics and clubs focused on Social Justice and World Awareness. The Visual Arts are exhibited both in the school and at outside venues such as the Carnegie Gallery in Hamilton. The Drama students enter the Sears Fest and Music students are very involved in out-of-school festivals and competitions. Technology students enter a number of competitions sponsored by Mohawk College. The School Council is actively involved in a number of aspects of school life. But the steep enrolment decline projected presents sustainability problems.

When I visited the school I saw that it was designed in two sections connected by a central core of administrative offices. The excellent Library/Resource Centre, which was the "addition", is also in the central area. As one faces the main entrance, on the right, one sees a circular building which is very 1960's with its concrete castellations. Inside, the layout has classrooms and shops around the perimeter and a corridor wrapping around the gymnasium in the core. The classrooms and shops are wedge shaped, very large and with extraordinarily high ceilings because they are the same height as the gymnasium. The windows, which circle the building and light the classrooms and shops are at ceiling height. Makeshift wiring for today's classroom equipment was visible in every room. This part of the school was well kept but a little tired looking. To the left of the Administration area there is a two storey rectangular building. This wing contains classrooms and the cafeteria. There is an elevator in this section. The wing is built around a very attractive courtyard garden. The courtyard is accessible from the fairly small cafeteria. In this block one

finds the academic classrooms, including the 5 Science labs, which appear to be original to the school and are therefore quite dated. They are also very crowded. In data given to the Trustees, Highland's academic classrooms are 89 square feet smaller than those at Parkside and each of the Science labs is 332 square feet smaller. Wiring to accommodate today's technology was again visible everywhere. There is ample room to expand the school in the area behind the building. When the neighbouring elementary school was built a few years ago, 80 parking spaces were provided for Highland students.

A limited description of the other two schools in the West ARC would be appropriate at this time. But first I must emphasize that decisions about Westdale SS and Ancaster High School, in this ARC process, had no impact on the decision to close Parkside. Westdale received little attention in the discussions which occurred. Ancaster was discussed at length, but the ARC's recommendation to "right size" the school by building a new school was not supported at the Board and no action was taken on Ancaster's issues.

Both Ancaster and Westdale offer broad programming to meet the needs of all pathways. Where the two schools are germane is in programming distribution discussions which were part of the ARC process. The Hamilton-Wentworth DSB Program Strategy is titled *Learning for All*. It is predicated on a vision of the education system such that all "pathways" will be available to all students in all schools. There are five major post secondary pathways which will lead students to apprenticeship, college, community, university and work. But there is also an overlay of specialization which includes Specialized Programs in each school and Specialized High Skills Majors (SHSM) distributed across the secondary system. For example, French might be available in all secondary schools, but at present only one secondary school, Westdale, delivers Specialized French Immersion. It also offers the International Baccalaureate and SHSMs in Construction and Arts and Culture. Ancaster offers an SHSM in Aviation Technology and a Specialized Program in Biotechnology. It is in the first year of offering the International Baccalaureate. As a consequence of the need to ensure access for all students to all programs, the ARC spent significant hours listening to presentations on the Board's vision and discussed program distribution across the West Cluster extensively. They did recognize that there were issues with the aging Westdale plant, but enrolment in its programs seemed to be holding well. They identified serious issues relative to Ancaster SS enrolment, present and projected, school building, and school site. The ARC made recommendations about program distribution across the three schools which were to remain, Westdale, Ancaster and Highland.

When I visited Westdale I was impressed with how well a grand old building was holding up. There were areas on the fourth floor that, from the flaking plaster and paint, suggest water problems on the roof or in the brickwork. On the other hand, the art facility which has been developed there would be the envy of any professional. The new double-glazed windows in all rooms let in lovely, natural light and the wide halls and large classrooms rooms were well groomed. The school has an excellent Auditorium, Music rooms and 3 Gymnasias. The 7 Science labs are

crowded and out-of-date. The very large Technical shops offer Communications, Construction, Health and Personal Services, Hospitality, Manufacturing, Technological Design and Transportation Technology programs. The school offers a full range of Academic programs and the specializations already described. The school was built in the days when a school building was a statement about the town itself. In this case, Hamilton was thirty years ahead of its time in its thinking about education. In general in pre-World War 2 Ontario, technical schools and academic schools were in separate buildings, often miles apart. Westdale was built as a combined academic and technical school in 1930 and was, at the time, the pride of the City and, according to school memorabilia, “the largest school in the British Empire”. The facility enables the school to offer a wide-ranging, comprehensive program. The school had additions in 1959 and 1975 and as a consequence, the building now takes up a huge proportion of the 14.8 acre site. Westdale has a rated capacity of 1575 students. At the time of the Review the average daily enrolment was 1536. The enrolment projection for 2020 is 1345.

The condition of the combined Football/Soccer field is poor and the promised maintenance of the grass pock -marked tennis courts by the city has not occurred. Parking for staff at the school is very poor.

When I visited Ancaster High School, I saw not a building, but a complex of two storey buildings attached one to the other. The first building went up in 1959. Multiple wings were added in 1961, 1963, 1965, and 1968. The town built a Recreation Centre, with a swimming pool, which the school uses, on the school site. The separate boilers for both the Centre and the school are in this building. The complex of buildings sprawls across the highest part of the 43 acre site. The school has a rated capacity of 1386 students. At the time of the Review the average daily enrolment was 962. The projection for 2020 was 882.

Ancaster High School has a comprehensive range of academic and applied programs available to students. There are 7 Science labs, again crowded and antiquated. There are dedicated rooms for Instrumental Music, Visual Art, Theatre Arts and Computer Studies. There are 4 Gymnasias. There are dedicated facilities for the following Technologies: Communications, Construction, Hospitality, Manufacturing, Technological Design, and Transportation. One of the distinguishing features of the school, and one that is highly valued by the community, is its auditorium. While it does not have full fly space and rigging, it is closer to a real theatre than to the Auditoriums in older Ontario secondary schools. The stage is reasonably deep and raked, the theatre style seating is newly refurbished, and the high-tech lighting and sound systems are totally up-to-date thanks to donations from Theatre Ancaster which uses the Auditorium for several productions every year. The Theatre group also provides co-op placements for Ancaster students.

Ancaster has spacious outdoor facilities. There is a track and dedicated playing fields for Soccer, Football and Baseball. The condition of the outdoor facilities is described as good, which is not the case with the indoor facilities. The various buildings strung together on the Ancaster site have not aged well. The windows are metal framed, single glazed and show clear signs of leakage. The library is unusually



small for a school of its size, probably a consequence of being low on the priority list when the school received its multiple additions. The wiring added to serve technology was hanging from ceilings in many places. Washrooms for both students and staff were inadequate. The showers in the girls' changing rooms are unusable because of plumbing problems. Cafeteria space was also inadequate, despite the drop in enrolment.

### **SUMMARY OF THE BOARD PROCESS LEADING TO DECISIONS**

The Hamilton-Wentworth District School Board Policy No. 12.0, ***Pupil Accommodation Review Policy***, 2.2.2, states "Periodically the Associate Director shall ensure that a report is prepared to update the Board's Long-term Capital Plan." The capital update report is part of the ongoing capital planning process and is intended to provide for a review of capital needs and the determination of priorities. The report will also serve to identify the need to consider closure of a school or schools. Additionally, recommendations to consider school closures will also factor in the potential for partnerships.

The Capital Plan, which eventually led to the West ARC, was presented to the Board in February 2008. The very detailed report included enrolment trends and projections for both elementary and secondary schools, school utilization data, accommodation needs based on new housing developments (mostly underway, but all approved), and revitalization projects completed and recommended. The report contains repeated references to the issue of "Ministry approved financing".

The Executive Report which accompanied the Capital Plan made 21 recommendations for action. Recommendation 17 reads as follows, "Executive Council to establish a committee to review the current utilization of space and the programming needs of all Board Secondary facilities, including Vocational schools. The purpose of the review is to identify potential means to increase the utilization of Board owned capacity, to identify the potential for new or consolidated programming in the secondary panel, and, in conjunction with the Student Accommodation Review Policy, identify schools to be placed under policy review." The motion was later rescinded on the grounds that the process proposed was unmanageable. Under the Board Policy, reviewing the 18 schools as a group would have created an unwieldy ARC of around 120 members. But the Capital Plan remained the basic information source for the subsequent ARCs. All of the data in the Capital Plan was updated with current figures for the three secondary accommodation reviews.

At the March 22, 2010 Board Meeting, the Board approved a recommendation to initiate an accommodation review of the West Cluster of Secondary Schools including Ancaster, Highland, Parkside and Westdale. The mandate of the ARC was to examine a number of issues including: actual and projected enrolment in the 4 schools, facility condition, program provision and sustainability, transportation, funding and implementation of any recommendations in their report to the Board.

The composition of the ARC is set out in Board Policy no. 12.0, *Pupil Accommodation Review Policy*, Section 4. The committee will include individuals who are not directly associated with any of the schools in the Review Area as well as individuals directly associated with the schools.

Section 4.5 lays out the membership, both voting and non-voting. The Chair, non-voting, will be a member of the Executive Council appointed by the Director. The voting members include one Principal (chosen by his/her Principal's Association), one Teacher (chosen by his/her union), two Student Leaders and two "Public School Supporter" Community Leaders. All of the aforementioned may have no direct association with any of the schools in the Review Area. Each of the Schools directly affected by the Review appoints two parent representatives. The non-voting Members include: any Superintendent of Education with direct responsibility for a school(s) in the Review Area, the Trustee(s) whose ward includes one of the schools, the Ward Councilor(s) whose ward includes one of the schools and one Principal, one Teacher and one Non-Teaching Staff Representative from each of the schools directly affected by the Accommodation Review. In addition, there was a Recording Secretary, several senior Board staff as and 2 Consultants as resource people. The secondary teachers union, OSSTF, declined to name a representative. This still left a Committee of up to 36 people depending on attendance of individuals.

The first Working Meeting of the ARC was held on January 18, 2011 in the Board Room of the School Board. The ARC finished its work after 13 Working Group Meetings and 3 Public Meetings. At the first meeting, the Committee was presented with an overview of the ARC Process and a presentation on the Board's vision of an education system designed to meet the needs of students of the 21<sup>st</sup> century. This was to guide the ARC in its work. The ARC was also guided by very clear and detailed Terms of Reference which described its Mandate, Reference Criteria which should be examined and a description of the respective roles of the different categories of ARC members. In addition there were Operating Procedures, including a schedule of Working and Public meetings, and a description of basic rules of order. The deadline for reporting to the Board was January 19, 2012. The requirements of the Board's Accommodation Review Policy were outlined as was the process which would occur after the Report of the ARC was presented to the Board of Trustees. The meeting finished with the introduction of the SIPs which were on a single chart. This was not intended to be a final document. It had been developed by Board staff and information was still being gathered. The ARC was to discuss it, modify it and share it with the public. At this meeting, the members decided, by consensus, that the Working Meetings would be informal. Votes would be used only when necessary, i.e. when consensus could not be reached on an issue.

At the second Working Group meeting, on February 8, 2011, additional information was provided on the SIPs, and there was initial discussion of the Public Meetings. A date was proposed for a tour of each of the schools under Review. Four small groups were set up, one for each school, to discuss the SIPs. They met for 40 minutes and at the end of their meetings, gave any comments or concerns about the SIPs to the

recording secretary. Staff informed the ARC of the purpose and plans for the first Public Meeting. Last, but not least, in compliance with Board Policy, the Associate Director of the Board presented the ARC with the Recommendations of HWDSB Senior Administration on resolving accommodation issues in the West Cluster of Secondary Schools. The recommendations were to close Parkside, sell the facility and re-invest the money in the remaining schools. He explained that there were potential program benefits for students. In a larger school they would have more options, broader course selection, more flexible timetables and more opportunities for all pathways. He introduced two superintendents who explained the Board's Program Strategy and the Spectrum of Programs which would be available in all schools. These presentations were linked to the 21<sup>st</sup> century education vision presented at the first Working Meeting. The ARC was told that new program changes would be presented at the April meeting. At the end of the presentation ARC members had a number of questions about the Parkside recommendation and about the exclusion of Waterdown from the West ARC. They were told that Waterdown could not be discussed in any way because the Board had specifically excluded it from the Review. For the first time, the question of a new school for Dundas was raised. One member raised the issue of a previous ARC which had recommended closing Parkside. The Committee agreed that it would like to see that Report.

The first Public Meeting was held on March 1, 2011 at Westdale Secondary School. The meeting received a slightly condensed version of the information given the ARC at its first two meeting. Staff presented the enrolment projections, information on the physical state of the aging schools, and emphasized the need to re-think the school program to meet the needs of students in the 21<sup>st</sup> century. The ARC process and the recommendations of the Board staff regarding Parkside were explained. When the meeting was opened to public input, a Parkside parent and local business owner disagreed, at some length, with the Parkside recommendation. In her view it was not the best financial solution for the Board. The small Parkside site would be worth significantly less than the Highland site if the latter's 18 acres were put on the market. Furthermore, the recommendation ignored the fact that Parkside had the use of all of the facilities of the Driving Park at no cost to the Board. A number of other participants spoke to the Parkside closure. There were also concerns about how any re-organization in the West cluster would be handled. Waterdown, and the potential of boundary changes as a solution in the West Cluster was raised by members of the public.

The third Working Meeting was held on March 29, 2011. The Chair recognized that the members had spent a great deal of time listening during the initial three meetings. Tonight they would begin to develop their own recommendations to the Board of Trustees. In the Business Arising section of the Meeting, the incomplete state of the SIPs was raised and there was agreement that there would be time at the next working meeting to address this. One of the issues was how to identify the Parkside sports facilities. A staff member summed up the 2003/04 Report on schools in the Dundas review area which was requested at the last meeting. That Report had recommended closing Parkside. A community committee had

recommended that it not be closed. But at that time, the Board had been placed under supervision by the Ministry. The Supervisor agreed with the closure. In 2004, the Board, again in charge, rescinded the decision to close Parkside. A full copy of the Report would be e-mailed to the Committee. The Committee then turned to an extended discussion of what they had heard at the public meeting and how public input, written or by delegation, should be received. Substantial information on operational and administrative costs of the schools under Review and demographic and enrollment data had been provided to the Committee. The agenda expected detailed discussion of this information and what it might mean in terms of options for school re-organization. That discussion did not occur. The meeting ran late.

The fourth Working Group Meeting was held on April 14, 2011. The number of Agenda items was limited so that the Program Plan presentation and discussion time would be adequate. The presentation on demographics and the discussion of the SIPs, which the Committee had requested, was moved to the next meeting. This was the 2<sup>nd</sup> postponement of the demographic data and some members were concerned about this. There was a sense, in the Minutes of the meeting, that the ARC was feeling some pressure. There was a suggestion to switch the date of the next Public Meeting with the next Working Group Meeting and this was accepted by consensus. The change in the Public Meeting was to be well advertised. Staff then gave an extended presentation on the Board's Program Plan, *Learning for All*. It is a way of rethinking programs to best meet the needs of each individual student. The Board is restructuring what they offer, where they offer it and how students may be supported to achieve their full potential. There was a short question period at the end of the presentation.

The fifth Working Group Meeting was held on May 10, 2011. The Chair emphasized that the ARC had to come to agreement on the content of the upcoming Public Meeting. The public would expect to be able to comment on the work of the ARC. This meant that the ARC, by the end of meeting 5, had to be clear on what would be presented to the community. The Demographic and Enrolment Projection Methodology was presented to the Committee followed by questions. There were two packages of summary notes from the small group work of the previous two Working Group Meetings. They focused on accommodation options and program. Staff summarized the options which the small groups had developed:

- A. Close Parkside and Highland and build a new school somewhere in Dundas
- B. Close Parkside and Highland and build 2 new schools somewhere in Dundas
- C. Close Parkside and Highland and build a new school on the Highland site.
- D. Close Parkside and Highland and build a new school on the Parkside site.

The committee returned to its small groups. The groups reported back and, after discussion, they clarified Option B. It was one school with 2 wings. The Minutes indicate that the final consensus was to present Options A, B and C at the Public Meeting. (When I identified a discrepancy between the Minutes and what was presented at the subsequent Public Meeting, I was told that the intention of the ARC was to present A, C and D and that they were re-labelled A, B and C as there were now only 3 options.) The second Public Meeting was held on May 31, 2011 at

Ancaster High School. The ARC received 6 delegations each of which was allowed 10 minutes to present followed by a question period. Presentations included a potential program for Parkside, a new school for Ancaster and a Social Communications Classroom for special needs students. The staff of Highland made a presentation. A member of the ARC described the most recent work of the Committee and presented Options A, B and C from the previous meeting of the ARC, C being a new school on the Parkside site. Questions followed about the Board process leading up to the final decision, traffic congestion at Highland, funding issues, and timelines for the ARC.

The Committee was now at the halfway point of its work and would have one more meeting before the summer break. The sixth Working Meeting was held on June 16, 2011. Facilities Management, which includes three divisions: Operations and Maintenance, Capital Renewal and Accommodation and Planning, made a detailed presentation on declining enrolment in the Province and in the Board. They also outlined the enrolment based funding model, and facility closures and consolidations to date in Hamilton-Wentworth. Most of the Board's Secondary Schools were constructed in the 60s, are now 50 years old and therefore at natural renewal age. The funding challenges of this situation were described in detail. The two students who were members of the ARC had visited the four Secondary Schools to speak with students about their perspective on the schools. They gave an interesting report on what they had heard. The Committee then discussed the Public Meeting. There was some disappointment about the lack of public response to the ARC's Options. The point was made that the needs of Ancaster were being ignored. One staff member pointed out that while a lot of amazing ideas were being presented to the Committee by the public, he was not sure how the ideas addressed the issues that the Committee had asked them to speak to; neither did they address the challenges. The meeting ended with an extended discussion of what might happen if various decisions were made and a commitment from staff to assess the Options over the summer against the criteria given to the ARC. Funding would also be examined.

The seventh and eighth Working Meetings were held on September 20 and October 11, 2011. The ARC grappled with multiple Options rising from staff work over the summer. At the September Meeting the Option to rebuild on the Parkside site was removed by consensus. At the October Meeting, after extended discussion, the Committee agreed on what it would take to the next Public Meeting.

The third Public Meeting was held at Parkside Secondary School on November 1, 2011. The Meeting opened with a description of the purpose of the meeting and the ARC process. An ARC member presented a report on work completed to date. A second ARC member then presented the "Concept Options Created by the West ARC" which had been agreed to at Working Meeting eight. The Options were:

1. Closure of Highland and Parkside and rebuild on a new centrally located site or on the Highland site.

2. Closure of Highland and Parkside and rebuild on the Highland site with 1,000 pupil places OTG and the “right sizing” of Ancaster.

In the discussion which followed, a member of the public made a statement implying that staff had not given the ARC a letter which she had sent proposing a “Plan B” to keep Parkside open. The ARC member who made the second presentation of the evening stated that this was not true. The ARC had the letter and “Your representatives can bring this forward again.”

Meeting nine of the Working Group was held on November 22, 2011. At the beginning of the meeting, the Chair reminded the Committee of the timelines for reporting to the Board and their current state of readiness. They needed to finalize all recommendations, including closure recommendations, if any. Program placement, transportation and any additional capital upgrades had to be dealt with. The question of an extension was raised by a member and the process of requesting such from the Board was explained. They would not know if this was approved until December. The Committee agreed to make December 13 a Working Group meeting instead of a Public Meeting. The committee proceeded to discuss the “right sizing” of Ancaster. The sale of some of the Ancaster acreage to finance this was part of the discussion. There was a short discussion of the Public Meeting and of how to deal with correspondence. This gave rise to a question about when the committee would address Plan “B” regarding Parkside. The Committee was having difficulty coming to conclusions. They requested staff to find out if the South ARC would be interested in dialogue because one of its schools, MacNab, might be part of an Ancaster solution. They requested regular updates on the other two ARCs. They requested that staff report back on Plan “B”. They decided to add December 8, 2011 and January 9, 2012 as meeting dates and to request that the Board extend the final ARC report deadline from January 19 to February 3, 2012.

The tenth Working Group Meeting was held on December 8, 2011. The Board had granted the requested extension. Short reports on the South and North ARCs were given. The latter had completed its work. The South ARC had declined to meet with the West ARC. The Committee was reminded that their Terms of Reference did not permit them to make recommendations regarding schools being dealt with by the other two ARC's. Nevertheless, the Committee decided to write to the South ARC proposing a discussion of a MacNab/Ancaster solution. After further discussion, the Committee requested staff to provide information on several options for Ancaster: a new school in the Meadowlands neighbourhood, the construction of a right sized building on right sized land on the Ancaster site, and the right sizing of the Ancaster west wing (with auditorium, tech rooms and hallway). Staff gave a report analyzing the Parkside Plan “B”. A motion to close Parkside and Highland and to build a new school on the Highland site failed to achieve consensus. The Minutes indicate that in the ensuing debate, one ARC member noted that the Plan “B” “was not adopted by all Committee members. They were giving it due diligence due to the fact that it came through correspondence.” The motion on a new school on the Highland site was put to a vote and passed 7 to 3. The date for the next Public Meeting was

adjusted from January 9 to January 12 because the Trustees had a conflict on the 9<sup>th</sup> and felt it important to hear public input.

The eleventh Working Group Meeting received the staff reports on various options for Ancaster. After discussion of the reports, the Chair reminded the Committee that they had decided to finalize other recommendations regarding the Dundas area and then work towards a recommendation for Ancaster. The Chair told them that they could choose whether or not to support a Plan "B", and that they could decide what that would look like. The group discussed the merits of a single strong plan versus presenting two plans. The issue had to go to a vote. Having a Plan "B" was rejected, 8 to 4. Staff reminded the Committee that the original Staff Recommendation did not propose building a new school. Funding could be a problem. The Committee also decided, by an 11 to 1 vote that their final report to the Trustees would include "the components of what a school in Dundas should have." The Committee then returned to a discussion of Ancaster. There was no consensus on how to proceed. A motion that a new school, of appropriate size, be built on the Ancaster site had to go to a vote. It passed 5 to 4 with 3 abstentions. The Committee then had a long discussion on existing programs in the West ARC schools and program distribution across the Cluster. Some program additions were recommended and the Program Strategy was approved. On the issue of transportation, since the recommendations were to build new schools on existing sites Ancaster would remain the same, and the bussing of students from the old Parkside catchment area would have to be dealt with. There were more changes in the meeting dates. December 20 and January 9 were deleted. January 12 would be a Working Group Meeting. The Public Meeting would be on January 17, 2012 and the final Working Group Meeting would be on January 25, 2012.

Working Meeting 12, on January 12, 2012 opened with a report and discussion on the North and South ARCs. The only item germane to the West ARC discussions was that the South ARC had a recommendation to close MacNab, which had been seen as linked to Ancaster issues. But it was also outside of the West ARC's mandate. The Committee started discussing the West ARC final Report. They reviewed the decisions made at previous meetings. They agreed that the two new schools, at the Highland and Ancaster sites would have no less than 1,000 pupil places. They agreed that existing programs, with appropriate space, in current schools should be retained in any new or modified school. There should be space for community partnerships, where possible. They also listed upgrades which would be needed if there were no new construction. For both schools, these included additional and upgraded science labs, cafeteria space, library facilities, a staff room and workrooms, and for Ancaster new ceilings, windows and upgraded HVAC. Dundas wanted upgrades to the Highland track and field and fitness facilities. A motion had already passed that both sites have a theatre style auditorium and, if necessary, shared spaces with a music and or drama focus. The final recommendation was that the Facilities Management Department consult with the principals and specialists to ensure that the remaining facilities are upgraded to meet the program strategy and address the renewal needs outlined by the West ARC. The Committee then planned

the Public Meeting. A Committee member would chair the question period and another Committee member would assist with the presentation.

The final Public Meeting was held at Highland Secondary School on January 17, 2011. The presentations allowed for a good question and answer period. Parents and community members asked questions about all four schools. Many of them were similar to issues raised in previous public meetings such as the traffic on Governor's Road, and the current physical state of the schools. Parkside had many advocates at the meeting.

The West ARC held its thirteenth and final meeting on January 25, 2012. The main purpose of the meeting was to agree on the final text of their report to the Board. A draft had been developed and the committee proceeded to give editorial advice. For instance, they agreed that the October 2011 actual enrollment numbers should be added to the enrollment chart, with a footnote to explain Actual Daily Enrolment (ADE). On the basis of correspondence received by the ARC, Theatre Ancaster was named as a potential partner. The Committee also wanted the Board to consult with the school communities on its strategy should there be a lack of adequate funding. The need for a traffic study on Governor's Rd. was inserted. There was no significant difference in the final text from the information which was presented at the last Public Meeting. The Committee approved the Final Report by consensus and five ARC members volunteered to present it to the Board. The Committee adjourned at 10:30 PM.

The Report of the West ARC was submitted to the Director of Education on February 3, 2012. On February 13, 2012, the Hamilton-Wentworth DSB Committee of the Whole received both the Final ARC Report of the West ARC and the Staff Report on the West ARC. Both had been posted on the Board website, on February 3 and 10 respectively. The Board Staff Report covers all aspects of the ARC mandate in detail. But for this Review, the core issue is the closing of Parkside. The ARC had recommended closing Parkside, Highland and Ancaster and building new schools on the latter two sites. The Final Staff Recommendation was to close Parkside in June 2014 and realign its catchment area with Highland. Proposed capital improvements to Highland were to include a new single gym, change rooms and storage, 6 new science labs, and an expanded cafeteria and storage. Interior renovations would create 3 additional classrooms and a new staff room/work room. Neither the ARC nor Staff recommended that Parkside stay open.

The process which the Board follows is intended to allow for extended discussion of the Options presented by an ARC. The Board uses the Committee of the Whole format to receive public input, request further information and discuss the issues.

The Trustees, having met as Committee of the Whole, forwarded a Report to the February 27 Board Meeting for ratification. A series of Special Committee of the Whole meetings followed that Meeting. A Special Hearing meeting, on April 2, received public input on the reports created by the West ARC and Staff. Twenty delegations made presentations to the Trustees. One of the delegations made a detailed presentation which was very similar to the later "Parkside Works" package



which the petitioners identify. Trustees had a number of questions for Staff, including some on Parkside. These were answered, in writing, at a Committee meeting on April 10. At a Committee meeting on April 23 there was an extensive discussion of the West ARC, including discussion of the “Parkside Works” site plan. There were more questions for staff. At the May 4 Committee meeting, staff provided a response to a Trustee’s request for a comparison of the issues related to building at either Parkside or Highland. The response was that the planning and traffic problems were similar, but the impact was reduced at Highland because of the site size. The Committee of the Whole Meeting on May 14 recommended to the Board that Parkside close in June 2014 and that Highland be upgraded at a cost of \$15 Million. A motion to close both schools and build a new school on the Highland site failed. The Committee of the Whole meetings, with the exception of a few in camera sections, were open to the public.

The Board received the Report of the Committee of the Whole on the West ARC on May 28, 2012. The Minutes of that meeting are rather difficult to decipher. The Report of the Committee of the Whole on the West ARC opened with the recommendation to close Parkside and upgrade Highland, at a cost of \$15 million, to accommodate both student bodies. During the debate on the Report, a Trustee moved that a motion which had lost at Committee of the whole be inserted into the Report. The motion reads: “That the Board approve the closure of Highland and Parkside Schools in June 2015 and the construction of a new school on the Highland site with a target opening date of September 2015.” After the Motion passed, by a vote of 10-1, an amendment by addition was moved “pending Ministry funding and approval of the business case prioritized after the new schools in the North and South Clusters.” The amendment was carried. This was followed by the addition of another motion which had been lost at Committee of the Whole: “That funding for the new school on the Highland School site be not procured from the sale of Ancaster High School property site.” That motion passed unanimously. The amended Report of the Committee of the Whole, with two contradictory positions on how to proceed with consolidation of the two schools, passed unanimously.

### **THE PETITION**

The letter to the Minister, from Bob James on behalf of the Parkside petitioners, claims that the Board breached its Pupil Accommodation Review Policy in several ways. The Attachment to the letter presents a number of issues. I have tried to identify those which are directly related to the Board’s Policy. Much of the detail in the Attachment relates to one specific Policy issue.

1. The staff presented only one accommodation possibility, closing Parkside and merging it with Highland, when there should have been an alternative.
2. The SIPs were incomplete and often inaccurate.
3. The Terms of Reference were changed in mid-process.
4. Community outreach and therefore consultation was inadequate.
5. The Parkside Works Business Case and Information Package was withheld from the Trustees which meant that it was ignored in the final decision making.

When I met with the Petitioners it was clear that they felt that the role of the community in making decisions about school closures had not been valued. A petitioner presented first on behalf of the group. They believe that the presentation, at the second meeting of the ARC, of the Staff Recommendation to close Parkside biased the rest of the process. In addition, it was a single option rather than alternatives. The word alternative means a choice between two things. They also believe that the SIPs were not only inaccurate but biased towards Highland SS at the expense of Parkside. Specifically, the value and the facilities of the Dundas Driving Park were absent from the Parkside SIP. But the Board Policy sees the SIPs as being critical to the Review process. This puts the validity of the process in jeopardy. Furthermore, the Board facilitator “controlled the meetings and stuffed the agenda with material the ARC could not understand.” They would prefer an “independent facilitator”. They claim that the Plan B submission, which saved Parkside, was never dealt with and the request for a traffic study of Governor’s Rd was ignored. The Parkside Works package, which contained a detailed architectural and financial plan, was given to Board Staff five days before the Board Meeting but went to Trustees only three days before.

Other petitioners had concerns about process. They felt that dividing into small groups was a divide and conquer technique. The principals were very involved in the qualitative information on the SIPs, and the Parkside principal put n/a in the section on football fields, tennis courts, etc. despite the lease arrangement on the Driving Park. Every petitioner who spoke complained about the quality of the information in the SIPs. Value to the community was almost invisible and not done in consultation with the community. School valuation was not at the centre of the Board and community decision making. Walkability was raised by several people and I was given research papers on its influence on the health of communities. The lack of a traffic study of the Highland site was raised several times. Several petitioners questioned the validity of the enrolment projections. There were complaints that “the Trustees didn’t even take time to debate the motion to close the school.”

Several petitioners stated that the ARC meetings were dominated by presentations. This limited both the time for community input and the time for group discussion. The fact that Ancaster ended up not being dealt with was raised as was the question of the boundaries with Waterdown. One member of an elementary school council said that they had presented a Report to the ARC which never made it to the Board web-site. Petitioners felt that this process could have healed the rift between the community and the Board which had existed since the 2003 Review. Instead it had made things worse. The Board “insulated itself from the community.” The process didn’t deal with values. One petitioner stated that the community wanted the ARC to be re-opened and supervised by the Ministry.

## **THE BOARD'S RESPONSE**

1. The Board states that when Board staff presented “one alternative accommodation option that addressed the objectives and Reference Criteria outlined in the Terms of Reference” they were complying with the Board Pupil Accommodation Review Policy, which in turn is compliant with the Ministry *Pupil Accommodation Review Guideline*. In the interest of transparency it was presented at the second working Group Meeting. It proposed closing Parkside and using the proceeds of its sale and current renewal funding to upgrade the remaining facilities. This was a point in time recommendation. The presenter told the ARC that they could “endorse it, set it aside, modify it or simply throw it away.”
2. The SIPs were completed by Board staff and reviewed by the school principals prior to the start of the West Accommodation Review process. They were in the information binders distributed at the first Working Group Meeting. They were revised and updated at meetings 1-4. In order to allow for more detailed review, the Committee was divided into four groups, one per school. This generated updates to the SIPs. The small groups reported out when the whole Committee reconvened. The Board maintains that updates to the SIPs were distributed to members of the ARC and posted on the Board’s website. All information relating to the West accommodation review was presented at the public meetings and posted on the board’s website. The public was encouraged to comment. All correspondence, by e-mail or on paper, went to the Committee.
3. The Board maintains that the Terms of Reference for the West ARC did not change. Throughout the process, staff continually reminded the ARC that their recommendations could only impact on the four secondary schools named in their Terms of Reference. On February 8, 2011 a staff member, in response to a question about Waterdown District High School’s boundaries, said that all the ARC could do was recommend that the Board review boundaries.
4. The Board provided evidence that the public meeting dates were advertised on the Board’s website and via a number of local media outlets. Paid advertisements about upcoming Public Meetings were in the Hamilton Spectator, Ancaster News, Dundas Star and Flamborough Review. Numerous articles were in local newspapers and there were discussions on local radio and television stations. The local cable station displayed all meeting times and dates on their community calendar. Letters and flyers went to all associated elementary schools and social media platforms were used to send out information about upcoming meeting. The schools involved in the ARC advertised the public meetings on their external signs. Four town hall style public meetings were held. They were all in fully accessible schools, child-care was offered and free public transit tickets for those who required them. All public meetings provided information about the process, requested input, and for those to shy to speak in the “town hall” environment, advice on how

to communicate with the ARC through e-mail or voice mail. The ARC received all comments from the public.

5. The Board states that the “Parkside Works” proposal and business case was presented to the West ARC and the Board of Trustees on numerous occasions throughout the process. The Option was originally presented to the West ARC at the first Public Meeting on March 1, 2011 and received as correspondence at Working Group Meeting #3. Correspondence was also received at Working Group Meetings on October 11, November 22 and December 13. At the December 13 Meeting, West ARC members voted 8-4 against having a Plan B. The Trustees were given all of the correspondence received by the West ARC. The Parkside Works proposal was presented to the Board during the West Accommodation Review delegations night on April 2, 2012. In the end, both the Committee members and the Board decided on a different direction.

When I met with the Trustees, they stated that Ancaster and Dundas were still opposed to amalgamation with Hamilton. In the case of Dundas there is also a sense of old town versus new town and Parkside is “old Dundas”. There is a very strong sense of community in old Dundas. One Trustee described the old and the new as two solitudes.

The Trustees were fully aware of the Driving Park as an asset. The school has never experienced problems in using the Park facilities. Students have unlimited access during program time, spares and lunch. One Trustee stated that the Park grounds were kept to a much higher standard than the Board’s playing fields. Another Trustee was concerned about indoor facilities for physical education and fitness. He did not think that the Parkside site could support the facilities which were needed for an effective program.

The Trustees noted that, given the enrolment projections, there could be only one secondary school in Dundas. A secondary school in Dundas would serve not only the town but a large rural area in Flamborough. The rural parents wanted a new school and didn’t care about location. One Trustee said that the community was split on location if the solution was renovating one of the schools to accommodate all of the students. There were letters from residents who did not want increased bus traffic on the residential streets around Parkside. It was the view of a number of the Trustees that most people wanted a new school, but some people, the petitioners, just wanted to save Parkside. The Trustees final decision was that there was more flexibility and a better chance of meeting 21<sup>st</sup> Century programming needs if they built on the larger Highland site, which they owned, rather than on the tight Parkside site.

## **OBSERVATIONS FROM THE ARC**

Many of the points raised by the petitioners were raised at my meeting with the ARC. They were also in two written submissions from members who could not attend. Some points were about meeting design. ARC members stated that the amount of paper was challenging to read and understand in a timely fashion. Moreover, much of the material was beyond the expertise of the voting members of the ARC. "We were inundated with data we didn't understand". Numerous presentations used too much committee time which shortened their discussions. Members stated that in the first four meetings they were split into groups and never reconvened to hear from the groups after the small groups sessions. After meeting four there were no more small groups because ARC members asked to meet only in the large group. One member said that the discussion was freer in the small groups and that perhaps a combination would work well but only if the reporting out were good. The recorders in the small group sessions were volunteers with no experience in recording what was being discussed. The last point may be related to the complaint that the SIPs remained incomplete. The information that the Parkside group requested be inserted never showed up on the Board website.

Several ARC members questioned the choice of schools for the West ARC. They thought that Waterdown should have been part of the Review, that Westdale "had no skin in the game" and that Highland and Parkside were always most at risk. One member stated that the Parkside Plan "B" never got a fair hearing. When "we tried to move it forward, it was voted down."

A voting member who was from neither Highland nor Parkside felt that the ARC did not deal properly with the community delegations who had concrete ideas. Initially, the Committee was led to believe that it was addressing programs and 21<sup>st</sup> century fluencies, but really the whole process was about closing a school. This member believes that the current Accommodation Review Process does not meet the test of procedural fairness required by common law. School closings affect every aspect of community life. She found the process confrontational and divisive. In her view, "the Board downloads the consultation process to community representatives, the ARC, which creates another level of "Board-like" proceedings. It seems as if the ARC is consulting, making decisions and advising, but it is really only a buffer between the Board and the community." In this member's view, the West ARC did not give proper attention to input from the community and lacked the expertise to analyze the effects of the school closure on the community. In the end, the Board has sole decision-making power. The member believes that a fair procedure would require a sub-committee of the Board of Trustees, supported by expert staff, to hear delegations, consider what they have received in the light of expert advice, and then recommend action to the full Board. Following this member, another member said, "maybe we are seen as ineffective because our recommendations may be ignored by the Board."

One of the Trustees was concerned with the ambiguous role of Trustees. Trustees were non-voting members, but they also had to make the collective decision. In addition, the Municipal Councillors didn't attend the Working Meetings but felt free to make harsh comments at public meetings

It was clear that the West ARC process had been difficult. In the case of Parkside it opened wounds which had festered since 2003. At the same time, most of the points made at my meeting with ARC were about frustration with the meeting design and organization of meetings, rather than about the actual decisions made by the ARC. I should note as well, that the difficult decisions were done by vote, not consensus.

### **MY OBSERVATIONS**

My responsibility was to examine the petition and determine whether the issues raised constitute violations of the Board approved *Pupil Accommodation Review Policy*. I have reviewed the petitions, met with petitioners, Board administration, the trustees and the ARC. I have also read all of the minutes, appendices and reports pertinent to the Hamilton-Wentworth West Secondary ARC process.

The West ARC process was spread over three school years. It was approved by the Board in March 2010. To avoid tangling the Review in the Trustee election process, in the Fall of 2010, the decision was made to activate the Review in early 2011. This is not to say that there was no activity in the intervening period. Materials were prepared for the ARC, based on the two years of discussion of appropriate secondary school programming for 21<sup>st</sup> century learners which followed the 2008 recommendation to review all of the secondary schools. It should be noted that the Board's Policy sees programming as a serious issue to be addressed in any review process. Staff also prepared reports and presentations on the Board's Capital Plan, the condition of school facilities, enrolment and other demographic data and, last, but not least, the SIPs. The schools and School Councils were aware of the pending Reviews as were the local media. As soon as the Trustee elections were over, the process of identifying ARC members began. Schools sent letters to parents and advertisements were placed in the local media. The Board set up a separate website for each of the three Secondary ARCs. The local media were kept regularly informed. Parents and the public had ample access to the review process and to information about it from beginning to end.

The enrollment data for the West ARC Cluster of Secondary Schools support combining at least some of the student population in order to provide a reasonably varied and challenging education program. Parkside and Highland both serve Dundas. Both have enrolment projections such that combining their populations makes sense for student programming. But the argument is not really about a varied and vibrant school program, it is about competing views of the best location for the school building. This introduces the competing values of people in the old town versus those in the suburbs.

The Hamilton–Wentworth District School Board’s *Pupil Accommodation Review Policy* is consistent with the Ministry’s *Pupil Accommodation Review Guideline (Revised, June 2009)*. It is detailed and easy to follow. The Terms of Reference provided to the ARC, describe the mandate in plain English and set out the operational expectations and roles of various members of the ARC with great clarity. The SIP outline is presented as is the obligation to consult with the community. The respective roles of the ARC, the Senior Administration and the Trustees are clearly delineated. It is the Trustees who have final decision making power.

## **FINDINGS**

Parkside is the only secondary school which is to be closed as a result of the West ARC.

The Petition claims that the staff recommendation to close Parkside, which was presented at the second Working Meeting, biased the entire process. Furthermore there should have been a second recommendation, given the meaning of the word “alternative”. I do not see evidence of any real bias in the discussions since the possibility of expanding Parkside and relocating Highland students remained part of the debate right up to the Committee of the Whole stage. Further, while the petitioners are correct that the meaning of “alternative” does require a choice of two things (Oxford Universal Dictionary), the Board Staff did just that. The presentation to Working Group Meeting 2 provided 2 choices: the “Current Situation” and the “Option to close Parkside and consolidate” were presented side by side on a chart. The Board was compliant with its Policy.

The Petition claims that there were inaccuracies and biases in Parkside’s and Highland’s SIP. The SIPs, as designed for this ARC, are overly technocratic. They provide more than enough quantitative data, but they do less well in the qualitative area. For instance, in the section on Quality of the Learning Environment, Parkside is described as having dedicated facilities in a number of Technology areas. But several of these shops were converted to academic classrooms when the programs were moved to Highland years ago. Under Range of Program Offerings, one of the questions asks how easy it is for students to get to the work site. Both Highland and Parkside entered n/a. But there seems to be no dispute that there are around 100 co-op placement opportunities within walking distance of Parkside, while there are few within walking distance of Highland. More seriously, in terms of this petition, when it comes to Adequacy of the School’s Grounds for Healthy Physical Activity, etc., Parkside’s answers fail the school. It is described as having no Playing Field. Facilities for baseball, soccer, track etc are n/a and the facilities for student activities are “poor”. The Dundas Driving Park is listed under “offsite” facilities, with no detail on either proximity of the Park, the nature of the lease or the range of activities it supports. The value of the school to local businesses is never dealt with. These are serious flaws in the document which remains, with no substantive change, on the Board website. But the information which is lacking in the document comes out in the record of the meetings. ARC members are given notes from the small groups

which fill in enough of the missing data. Members of the ARC and the public discuss the Driving Park. Business people complain in writing that the Board has not asked them about the value of Parkside. The data on co-op placements is given to the Trustees.

I find that although there were serious flaws in the insertion of data and in gaps in qualitative analysis in the SIP document, the information required for a serious discussion of the Parkside option was available to ARC members by the end of Working Group Meeting Four. But, the Parkside Profile information was never changed on the Board website. The Board was not fully compliant with its Policy on the SIPS, but, since the critical information did become available to ARC members, this had no significant effect on the outcome of the ARC.

The petitioners claim that the Terms of Reference changed in mid-process. This seems to be related to a comment made about Waterdown. The Minutes of the ARC meetings are scattered with attempts to introduce a discussion of Waterdown and school boundary changes. Staff constantly reminded members that anything to do with Waterdown was outside of their Terms of Reference. I have checked the Minutes of February 8, when the Change in Terms is supposed to have occurred. A staff member did tell the ARC that the only thing the ARC could do is recommend to the Board that it review boundaries. This was mere information, not a change in the Terms. The Board was compliant with its Policy.

The Petition claims that the scope of Community Consultation disenfranchised many. The Board used every local media outlet available, from newspapers to radio to television to publicize the West ARC. The local cable station and the Board's website displayed all meeting dates. The public was welcome at Working Group Meetings as well as the "town hall" style Public Meetings. From the record of correspondence and delegations it is apparent that the public was engaged in this ARC from beginning to end. The Board was compliant with its Policy.

The Petition claims that the Parkside Works business case and information package was withheld from Board members. The claim is related to exactly when Trustees were given a specific package by the Parkside Works supporters. Parkside Works is a thoughtful, well designed and presented version of a concept which was sketched out at the first Public Meeting on March 1, 2011 and later received as correspondence by the ARC. The concept appears in the Minutes of four additional meetings of the ARC. It became a "Plan B" as it evolved. On December 13, 2011, West ARC members voted not to have a "Plan B". The vote was 8-4. The ARC followed a democratic process by voting when there was no consensus. Following that vote, a group of Parkside supporters decided that a more sophisticated approach to presenting Parkside's potential might be effective. The Board received all of the correspondence and presentations which had been given to the ARC. The Board then, through its delegations process heard directly from the public. Several supporters of Parkside, including people involved in developing the Parkside Works model, presented at the April 2, 2012 delegation night. At subsequent Committee of the Whole Meetings, the Minutes record that Trustees asked staff for more information on Parkside. The Parkside Works business case, in a folder for each



Trustee, was given to Board Staff on May 9, the date of a Board Committee Meeting. The Trustees did not get it until the weekend and the Trustees were to meet on May 14 for the final Committee of the Whole. This is really more about process than Policy. The Trustees had become very well informed about the issues raised by the West ARC process. Binders of information, with answers to their numerous questions, including many on Parkside, covered a table in their Boardroom. One final presentation was unlikely to change the decision-making. In any case, there was no breach of Policy in this instance.

## **SUGGESTIONS**

Accommodation Reviews are time-consuming and complex. In this case there was the added complexity of two other concurrent Secondary School Reviews. While adding Waterdown to the West ARC would have increased the size of the ARC and the number of issues, it would have made for a more transparent process and was no more irrelevant than having Westdale at the table. It was clear on numerous occasions that ARC members thought boundaries were an issue, but they were untouchable. The Board may wish to reconsider how it decides on school groupings, especially when boundaries are an issue, in future ARCs.

I suggest that the SIPs be redesigned to put more emphasis on the qualitative value of a school to its students and the local community. They could also be more concise. In addition, any partnerships, particularly those where there is a long-term formal lease relationship, such as the Driving Park, should be described not only in terms of the quality and quantity of the facilities but in terms of dollar value. Value to the local community should also consider the direct contribution a school makes to the local economy when members of the school community shop, go to restaurants, etc. There should be a standard rating system to ensure that principals who are entering data in the SIPs are using similar measures of quality. And when the promise of addition and correction of the SIPs is made, it should be kept not only in notes to the ARC but on the Board website.

The design of meetings is always fraught with difficulties. In the case of this ARC there was, with the best of intentions, serious information overload. Some presentations were more suited to education professionals than to parents and community members. One community presentation, for instance, would have been more appropriate at the Board's Special Education Advisory Committee. The consequence was that the members came to think that the presentations were intended to reduce their opportunity to discuss the issues. The group work also became contentious, but at least one ARC member felt that there was more open discussion among more members in the small groups. I suggest a serious reduction in the number and length of presentations at future ARCs. Some topics might be more suited to pre-meeting reading with discussion at the meeting. Small group sessions are valuable, but they need strict timelines, the appointment of good chairs and recorders and it is essential that they report out at the same meeting if people are to trust the process. Having said the above, I must congratulate staff on the

massive effort they made to provide information on every aspect of the ARC's mandate.

There were some complaints about staff controlling the meetings because they set the agenda and a staff member was Chair. While it is true that the agendas were initially set by staff, very rapidly the ARC started requesting that items be discussed at subsequent meetings. The requests were always met. In addition, numerous requests for additional information were met in a timely manner by the two highly competent consultants whom the Board had hired to assist with all three ARCs. Part way through the process, ARC members became the presenters at the Public Meetings. The evidence provided by the Minutes does not support the claim of staff control.

When issues such as the requested traffic study on Governor's Road come up repeatedly, it might be useful to have a representative of the Municipality explain to an ARC the jurisdictional issues as well as the how and when of such activities.

Some invited members of the West ARC did not attend Working Group Meetings but did feel free to play politics at public meetings. I suggest that the Board consider removing Municipal Councilors from the ARC roster. There may be better ways of communicating with City Hall. The question of the appropriateness of Trustees being members of the ARC might also be rethought since their role was seen as ambiguous. They are party to the detailed discussions, yet they must be objective decision makers at the end.

The Board had three concurrent ARCs. It was obvious to ARC members that there were issues being dealt with in other ARCs which could affect the West Cluster or the entire secondary system. I suggest that if concurrent ARCs occur again, there be a formal exchange of information between them on a regular basis.

## **CONCLUSIONS**

School closure decisions are best made at the local level because school boards have knowledge of the local communities and the needs of the local students. School boards are directly accountable to their students and the local electorate.

I appreciate the advice and detailed input from the petitioners. It is clear that they are devoted to their children and care deeply about their education. They are also clearly devoted to the economic health of old Dundas. I also want to thank the Board, both administration and trustees for their assistance.

I fully understand the depth of feeling in the old Dundas community about the decision to close Parkside and relocate the students to Highland, in "new" Dundas. Nevertheless, I believe that the Board made its decision with all of the facts available. In choosing the Highland site they concurred with the majority of the ARC. The size, and perceived flexibility, of the site and Board ownership of the entire acreage were the main values which drove the final decision.

Based on my review and consultations I conclude that, while there was a violation of Board Policy, it had no significant effect on either the discussions of the ARC or the final decision of the Board. There is no evidence that repeating the ARC process would produce additional information which might change the outcome. The final decision was made, following a detailed consultative process, by well informed Trustees.

Respectfully submitted,

***Original signed by:***

Margaret Wilson